

## **REMARKS**

### **A. Examiner Interview Summary**

On June 5, 2008, Applicant's representative Mark Garrett spoke with Examiner MacNeill about claims 21 and 22. Examiner MacNeill clarified that claim 21 had been allowed and claim 22 had been rejected. Mr. Garrett asked whether adding the step of puncturing the pia matter using a penetration apparatus, as specified in some of the pending claims, to the rejected claims would overcome the outstanding rejections. Examiner MacNeill reserved judgment, but suggested it probably would provided the amended claims were not duplicative of each other.

### **B. The Rejected Claims Are Now Allowable**

All pending claims except 21, 23, 65 and 66 have been rejected as anticipated or obvious. Without acquiescing to the propriety of the rejections, and in an effort to expedite allowance of the application, each of the rejected independent claims has been amended to recite:

introducing a penetration apparatus through the first passageway of the device, the penetration apparatus including an outer sleeve element and an inner puncture element, the outer sleeve element and the inner puncture element being slidably coupled together; [and]

puncturing the pia matter using the penetration apparatus[.]

Puncturing the pia matter using the recited penetration apparatus is not taught or suggested by the cited references. *See* allowed claims 21 and 65. Accordingly, the outstanding rejections have been overcome and should be withdrawn.

**C. Conclusion**

All of the pending claims are in condition for allowance. The Examiner is invited to contact the undersigned attorney at (512) 536-3031 with any questions.

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Respectfully submitted,

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